



**MINUTES OF THE SPECIAL JOINT MEETING OF  
THE CITY COUNCIL/REDEVELOPMENT AGENCY  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, June 13, 2006, 8:00 p.m.**

---

**MEETING**

The Meeting of the City Council was called to order by Mayor Cooper at 8:00 p.m., followed by the Pledge of Allegiance led by Council Member Quirk.

**ROLL CALL**

Present: COUNCIL MEMBERS Quirk, Jimenez, Halliday, Ward, Dowling, Henson  
MAYOR Cooper  
Absent: COUNCIL MEMBERS None

**PRESENTATION: Business Recognition Award**

Mayor Cooper presented the June 2006 Business Recognition Award to Morgan Advanced Ceramics (MAC). Located at 2425 Whipple Road, MAC operates three different and distinct businesses, Ceramics, Metals, and Coatings, in their 210,000 square foot facility. Their 250 employees have an average length of employment of 18 ½ years. MAC's sales have grown 50% since 2003 and they earned an Environmental Achievement Award from the City in 2005. For the contributions Morgan Advanced Ceramics has made by relocating its operation to Hayward, being environmentally conscious with a zero waste water discharge, and contributing to the economic well being of the City, MAC was presented with the recognition. Mr. Salen Salloum, Director of Operation, accepted the award and thanked Council for such a special recognition. He noted that this company has a long history that started in San Francisco about 80 years ago.

**PUBLIC COMMENTS**

Frank Goulart, residing in the historic Liniken Building, announced the upcoming summer downtown walking tours and noted the various topics that will be highlighted. The walks begin at the Historical Society.

Bill Maxedon spoke in opposition to the closing of the Albertsons at Fairway Park and expressed his concerns as a wheel chair bound customer.

**CONSENT**

Items 2, 4 & 5 were removed for further discussion.

1. Approval of the Minutes of the Special Joint City Council/Redevelopment Agency/Hayward Public Financing Authority Meeting of May 23, 2006

It was moved by Council/RA/HA Member Ward, seconded by Council/RA/HA Member Dowling, and carried unanimously to approve the minutes of the Special Joint City Council/Redevelopment Agency/Hayward Public Financing Authority Meeting of May 23, 2006.

**DRAFT**

## 2. Sidewalk Rehabilitation and Wheelchair Ramps 2005-06: Award of Contract

Staff report submitted by Deputy Director of Public Works Fakhrai, dated June 13, 2006, was filed.

Frank Goulart spoke about the problems involved with this public works contractor that worked in his neighborhood last year repairing local streets and sidewalks. He pointed out a number of discrepancies that were in conflict with the safety and materials specifications. He appreciated Public Works Director Bauman for his efforts to alleviate the problems caused by the contractors.

In response to Council inquires, staff noted that this is the third project awarded to this contractor, issues in that particular neighborhood were resolved, but overall the contractor's work is credible. Staff will consider the input.

It was moved by Council Member Ward, seconded by Council Member Henson, and carried unanimously to adopt the following:

Resolution 06-072, "Resolution Awarding Contract to Rosas Brothers Construction for the Sidewalk Rehabilitation and Wheelchair Ramps 2005-06 Projects, Project Nos. 5120 and 5155"

## 3. Pavement Reconstruction on O'Neil Avenue, Overhill Drive and Andrea Street and New Sidewalk Construction on Harvey Avenue, O'Neil Avenue, and Hayward Boulevard: Award of Contract

Staff report submitted by Deputy Director of Public Works Fakhrai, dated June 13, 2006, was filed.

It was moved by Council Member Ward, seconded by Council Member Dowling, and carried unanimously to adopt the following:

Resolution 06-070, "Resolution Approving Addendum No. 1 and Awarding Contract to Granite Construction Company for Pavement Reconstruction on O'Neil Avenue, Overhill Drive and Andrea Street and New Sidewalk Construction on Harvey Avenue, O'Neil Avenue, and Hayward Boulevard Projects, Project Nos. 5157, 5164, and 5181"

Resolution 06-071, "Resolution Amending Resolution 05-080, As Amended, the Capital Budget Resolution for Fiscal Year 2005-06, Relating to an Appropriation of Funds from the Street System Improvement Fund, Fund 413 to Pavement Reconstruction on O'Neil Avenue, Overhill Drive and Andrea Street and New Sidewalk Construction on Harvey Avenue, O'Neil Avenue, and Hayward Boulevard Project, Project No. 5181"



**MINUTES OF THE SPECIAL JOINT MEETING OF  
THE CITY COUNCIL/REDEVELOPMENT AGENCY  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, June 13, 2006, 8:00 p.m.**

---

**4. Cinema Place Parking Structure: Approval of Addendum and Award of Contract**

Staff report submitted by Deputy Director of Public Works Fakhrai, dated June 13, 2006, was filed.

At the request of Council/RA Member Halliday, City Manager/Executive Director Armas reported that the funding for this is part of the 2004 Tax Allocation Bond Fund and there are sufficient funds. He highlighted parts of the contract schedule that includes the clearing of the area shortly after the Fourth of July. By mid-July the parking lot will be fenced off so that site work can be completed. The project completion date is Thanksgiving 2007.

It was moved by Council/RA Member Halliday, seconded by Council/RA Member Ward, and carried unanimously to adopt the following:

RA Resolution 06-13, "Resolution Amending Resolution No. RA 05-12, as Amended, the Redevelopment Budget Resolution for Fiscal Year 2005-06 Relating to an Appropriation of Funds from the Redevelopment Tax Allocation Bond Fund to the Cinema Place Parking Structure Project, Project No. 5095"

Resolution 06-073, "Resolution Approving Addendum No. 1 and Awarding Contract to West Bay Builders, Inc., for the Cinema Place Parking Structure Project, Project No. 5095"

**5. Approval of Hayward's Participation in the Alameda County Climate Protection Project**

Staff report submitted by City Manager Armas, dated June 13, 2006, was filed.

City Manager Armas presented this item that was initiated by Mayor Cooper in conjunction with Mayor Tom Bates of Berkeley and Sheila Young, Mayor of San Leandro, to join the Cities for Climate Protection Campaign developed by ICLEI. They arranged a presentation by the ICLEI group at the Mayors' Conference of County of Alameda, which approved and made the countywide recommendation. He noted that participation requires membership and a one-time financial support of \$10,000. As its goal of waste reduction is consistent with the goal of the Alameda County Waste Management Authority, funds can be received from the Waste Import Mitigation Fund, thus not impacting the general fund.

Mayor Cooper provided a history of ICLEI, noting that there are over 165 jurisdictions taking part in this Campaign. She attended several conferences on this and listened to Al Gore make a presentation on climate change. She noted that it will be easier to make small changes such as using fewer propellants as in hair spray and stressed the use of vehicles that provide good mileage.

Council Members commented on their past and current experiences in supporting this effort and thanked Mayor Cooper for her leadership in this effort and in becoming a member of the organization.

It was moved by Mayor Cooper, seconded by Council Member Ward, and carried unanimously, to adopt the following:

Resolution 06-074, "Resolution Authorizing the City of Hayward's Membership and Participation in the County Climate Protection Project"

## HEARING

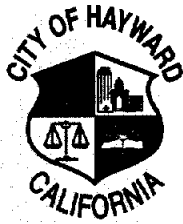
6. Operating Budget for the City of Hayward and Redevelopment Agency for Fiscal Years 2006-2008, the 2006-2007 Capital Improvement Program Budget, the 2006-2007 Master Fee Schedule, the 2006-2008 Community Promotion Program, and the 2006-2007 Gann Appropriation Limit (*Adoption on 6/20/06*)

Staff report submitted by Budget Administrator Blohm, dated June 13, 2006, was filed.

City Manager/Executive Director Armas made the report indicating that this is a two-year budget presentation, keeping in mind that the City Charter requires an annual budget. Therefore the final action by the Council will apply only to fiscal year 2006-07 and the second year as a spending plan. He provided the operating revenues and the expenditures for the forthcoming years, noting that the vast majority of the funding is for public safety. He reviewed the spending plan for both years that provides the restoration of Police Department positions including five police officers, the re-activation of the crime analysis function, improvement of the dispatch services that include 911 cellular calls and one Community Services Officer. He noted the restorations of positions in Community and Economic Development as follows: a Senior Planner, one Community Preservation Inspector position and one Senior Permit Technician. The budget recommendation also includes one Engineering Technician focusing on traffic safety operations and one Maintenance Utilities Mechanic for oversight of the Regional Water Intertie Project.

He listed the major initiatives for the next two years that will provide free wi-fi in Hayward. Funds have been earmarked towards considering a new library facility. He also enumerated other new initiatives as the downtown retail, cinema attraction, developing a conference center project, determining Police Department space needs, and analyzing a replacement facility for Fire Station No. 7, as well as the Cannery Project and South Hayward BART/Mission Plan.

He also reviewed the \$54 million in expenditures for public works capital improvement projects; the master fee schedule, the Community Promotion Program and noted the need to consider funding \$30,000 for the initiation of the 211 Project as requested by Eden Information and Referral Service. He responded to questions related to the use of reserves, Redevelopment Agency projects, housing projects and noted the amount of \$6.2 million for next year.



**MINUTES OF THE SPECIAL JOINT MEETING OF  
THE CITY COUNCIL/REDEVELOPMENT AGENCY  
OF THE CITY OF HAYWARD**  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, June 13, 2006, 8:00 p.m.

---

Council acknowledged staff for the excellent budget and presentation. There was agreement with restoration of some of the frozen positions. There was discussion on the defeat of Proposition 81 and its impact, the proposed bond measure for the November ballot, and the use of reserves and their maintenance. City Manager Armas reported his experience on the financial impacts and the use of reserves. Reserves will be used as designated by the Council.

Council Member Dowling discussed his interest in the results of the Proposition 81 related to libraries to see how Hayward voters responded. He discussed the Eden Information and Referral (Eden I&R) as a good one. Eden I&R pursued its annual request for \$20,000 via the social service funding process which was approved by the Council. His concern was that this request was not part of the annual request for social service funding.

Council Member Henson agreed with the restoration of the public safety departmental positions. It was re-affirmed that the CERT Program will continue for training of residents for emergency preparedness. In response to his additional questions, City Manager Armas discussed the technology initiatives that will occur in the next two years such as the voice over internet protocol, library information services, online water billing payments and permit processing accessibility. He noted that there will be funding for airport master plan projects such as the helipad and additional hangars. Council Member Henson suggested "an aviation day" be considered for the airport.

Council Member Quirk commented on library services, the need for a measure on the ballot and noted that a survey may need to be taken to consider the community priorities for the library system. He thanked staff and his colleagues for their input. Lastly, he noted that the Council reached consensus on over 99.7 % of this budget. He also noted the excellent work on this budget by staff.

Council Member Jimenez recognized City Manager Armas for his efforts on the Calpine contribution towards the library project and was informed that this was a team effort.

Council Member Halliday expressed favorable comments on the budget and expressed her concerns on the image of Hayward. She felt that restoration of the frozen position of the Public Information Officer could assist in improving the City's image because in the past that position assisted community organizations in sponsoring community functions. She spoke on the community promotions funding and was assured that this will be addressed at the mid-year budget review.

Mayor/Chair Cooper opened the public hearing at 9:24 p.m.

Barbara Bernstein, Executive Director of Eden Information and Referral Service, spoke on behalf of the 211 Project and the costs related to its start-up. She noted that nine cities have committed to this project. She noted that at the April City Manager's Conference, the fair and equitable funding plan of \$500,000 from the cities with an additional amount from county departments. Thus it was too late to apply under the social service funding and she felt that this project should not be impacted by social service funding. She listed a variety of agencies that will continue to contribute,

but only after this funding is successful. She noted the federal level act that will be matched by the State and will benefit local agencies. She urged Council's commitment to this project and the funding of \$30,000 for this public information tool that will be a true public and private partnership so that the entire Bay Area has access. She responded to Council questions, noting that two extensions have already been provided and this system must be in operation by December.

There was Council discussion. Mayor Cooper stated that she had a problem with the 211 Project being presented as a communication tool rather than a social service program and cited examples. She pointed out that funding will be available next spring. Ms. Bernstein pointed out that the public safety departments are saving because there are preventative measures that will be offered as well as saving staff time by referring to the program.

Nancy Schluntz, representing FESCO, a human services agency, spoke on behalf of the 211 Program, noting that this will be more efficient as it will save staff time in her agency when telephone calls are received. She responded to Council Member Quirk's question regarding funding and noted that there are Proposition 46 funds for shelter facilities.

Chris Low, Eden Information and Referral Board Member, read a letter submitted by Eden Housing Executive Director Linda Mandolini in support of this project, noting requests that could be directed to this program.

Ed Reuling, also a Board Member of Eden I&R, read a similar letter in support submitted by Scott Raty, President/CEO of the Hayward Chamber of Commerce.

Ilene Weinreb, Board Member of Eden I&R, spoke strongly in support of this project funding. She noted that San Francisco has it and Contra Costa is in the testing phase.

Carol Morgan, representing YOSAC, thanked the Council for its support of the youth orchestra throughout the years. She urged residents to encourage young people in playing stringed instruments.

Mayor/Chair Cooper closed the public hearing at 9:51 p.m.

Mayor Cooper announced that she would be contributing \$250 toward an effort to purchase new uniforms for the Hayward Municipal Band. She urged her colleagues to join her in giving a similar contribution.

Council Member Quirk moved, seconded by Council Member Halliday, to direct staff to prepare the necessary documents for adoption of the proposed budget.

Council Member Quirk then added a motion to his original motion that increases the Volunteer Recognition Dinner Committee funding by \$1,000 due to the lack of City staff support and this seems to be a city sponsored event. Council Member Jimenez seconded the motion.

There was discussion on the original motion, the friendly amendment and then an unfriendly amendment. There was a discussion on parliamentary procedure and the Council's method of maintaining clarifications of motions. Staff advised that the substitute motion needed to be acted



**MINUTES OF THE SPECIAL JOINT MEETING OF  
THE CITY COUNCIL/REDEVELOPMENT AGENCY  
OF THE CITY OF HAYWARD  
City Council Chambers  
777 B Street, Hayward, CA 94541  
Tuesday, June 13, 2006, 8:00 p.m.**

---

on prior to the original motion and that the original motion could be amended if the first and second agreed.

Council/RA Member Quirk moved to approve the recommendation with funding of \$30,000 for the 211 Program to Eden I&R and to increase funding for the Volunteer Recognition Dinner Committee by \$1,000.

Council/RA Member Dowling urged his colleagues to at least consider funding the 211 Program by vote and suggested those not in favor vote against the Substitute Motion.

Council/RA Member Ward offered a Substitute Motion, seconded by Mayor Cooper, to approve the staff recommendation. The Substitute Motion failed and the following was a roll call vote:

AYES: Council/RA Member Ward  
MAYOR/Chair Cooper  
NOES: Council/RA Members Jimenez, Quirk, Halliday,  
Dowling, Henson  
ABSENT: None  
ABSTAINED: None

The remaining motion on the floor is reiterated. Council Member Quirk moved, seconded by Council/RA Member Halliday, to approve the recommendation with funding of \$30,000 for the 211 Program to Eden I&R and to increase funding for the Volunteer Recognition Dinner Committee by \$1,000.

Council/RA Member Dowling commented that he knows the excellent programs of Eden I&R as he worked there. He noted its past experience with the 911 Program and acknowledged the leadership on its board. He felt that the funding was available, either from the general fund or social services.

Council/RA Member Halliday clarified the motion and would support Council Member Dowling's concern that there needs to be a vote on the 211 Program. She acknowledged former Mayor Weinreb and her efforts on the Eden I&R Board of Directors. She explained that she understood that staff recommendations are generally accepted, but commented that this action is a Council prerogative.

Council/RA Member Ward noted his past record and continued support for Eden I&R and stated his reluctance to approve the 211 Program as a sense of fairness to other agencies.

It was moved by Council/RA Member Quirk, seconded by Council/RA Member Halliday, and carried by the following roll call vote to direct staff to prepare the necessary documents that will adopt the recommended budget, the Redevelopment Agency Budget the Capital Improvement Program Budget, Master Fee Schedule, the Community Promotion Program, and the Gann

Appropriation Limit for adoption on June 20, 2006 with an increase of \$1,000 for the Volunteer Recognition Dinner Committee and an additional \$30,000 dollars for the 211 Program to Eden Information and Referral Services.

AYES: Council/RA Members Jimenez, Quirk, Halliday,  
Dowling, Henson  
NOES: Council/RA Member Ward  
MAYOR/Chair Cooper  
ABSENT: None  
ABSTAINED: None

### **COUNCIL REPORTS**

There were no Council Reports.

### **ADJOURNMENT**

Mayor/Chair Cooper adjourned the meeting at 10:09 p.m.

### **APPROVED:**

---

Roberta Cooper, Mayor, City of Hayward  
Chair, Redevelopment Agency

### **ATTEST:**

---

Angelina Reyes, City Clerk, City of Hayward  
Secretary, Redevelopment Agency